

Message Text

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PAGE 01 STATE 093899

17

ORIGIN PM-07

INFO OCT-01 ARA-16 ISO-00 CIAE-00 DODE-00 H-03 INR-10 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 TRSE-00 OMB-01 EB-11 AID-20 IGA-02 MC-02

ACDA-19 /146 R

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PM/SAS - MR. GREY

----- 065392

R 07,037Z MAY 74

FM SECSTATE WASHDC

TO AMEMBASSY MONTEVIDEO

INFO USCINCSO

C O N F I D E N T I A L STATE 093899

E.O. 11652: GDS

TAGS: MASS, UY, US

SUBJECT: ALLOCATION OF FY 74 MAP - URUGUAY

REFS: (A) MONTEVIDEO 955; (B) MONTEVIDEO 340; (C) MONTE-
VIDEO 556.

1. AT DEPARTMENT'S REQUEST, US ARMY MATERIAL COMMAND HAS
EXTENDED DEADLINE FOR MIMEX DELIVERIES OR CANCELLATIONS RE-
FERRED TO IN REFTEL A UNTIL MAY 15.

2. DEPARTMENT IS OF VIEW THAT THERE IS NOTHING IN FOREIGN
ASSISTANCE ACT (FAA) OF 1973 TO SUGGEST THAT CONGRESS IN-
TENDED THE EXECUTIVE BRANCH TO CHARGE THE MAP APPROPRIATION
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PAGE 02 STATE 093899

FOR CONUS-GENERATED EXCESS DEFENSE ARTICLES WHICH WERE ORDERED DURING THE PERIOD OF FY 74 PRIOR TO THE ENACTMENT OF THE 1973 FAA, I.E., JULY 1 - DECEMBER 17, 1973. THIS VIEW, HOWEVER, HAS BEEN DISPUTED BY DOD'S OFFICE OF GENERAL COUNSEL WHICH IS RESPONSIBLE FOR ADVISING DOD COMPTROLLER REGARDING ACTUAL DISBURSEMENT OF MAP FUNDS.

3. IN ORDER TO RESOLVE THE DISPUTE, STATE AND DEFENSE HAD

MEETING WITH THE GENERAL ACCOUNTING OFFICE'S (GAO) OFFICE OF GENERAL COUNSEL. GAO ASSOCIATE GENERAL COUNSEL HAS NOW ADVISED INFORMALLY THAT HE HAS DISCUSSED MATTER WITH GAO DEPUTY GENERAL COUNSEL AND GENERAL COUNSEL, ALL OF WHOM

AGREE WITH STATE INTERPRETATION. DOD COMPTROLLER REFUSED TO ACCEPT GAO OFFICE OF GENERAL COUNSEL INFORMAL GUIDANCE AND HAS REQUESTED FORMAL COMPTROLLER GENERAL OPINION. IN EVENT FORMAL RULING BY COMPTROLLER GENERAL AFFIRMS STATE AND GAO GENERAL COUNSEL'S OFFICE INTERPRETATION, WE WILL BE ABLE TO SUBSTANTIALLY REDUCE VALUE OF EDA CHARGED TO FY 74 MAP. DEFENSE IS NOW COMPUTING PRECISE FIGURES. RUSH

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NNN

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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